



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/031,217
Filing Date	April 18, 2002
First Named Inventor	Bernd Fischer
Art Unit	1712
Examiner Name	Robert E. Sellers
Attorney Docket Number	D078 1160.1

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers

<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD

<input type="checkbox"/> Remarks | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Comments on Statement of Reasons for Allowance |
|---|---|---|

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Womble Carlyle Sandridge & Rice PLLC		
Signature			
Printed name	David E. Wigley, Ph.D.		
Date	October 26, 2004	Reg. No.	52,362

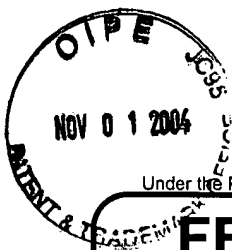
CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Jenny Vicente	Date	October 26, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	10/031,217
Filing Date	April 18, 2002
First Named Inventor	Bernd Fischer
Examiner Name	Robert E. Sellers
Art Unit	1712
Attorney Docket No.	D078 1160.1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☒ None

☒ Deposit Account:

Deposit Account Number: 09-0528
Deposit Account Name: Womble Carlyle Sandridge & Rice PLLC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	=
Independent Claims	-3** =	X	=
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

(Complete (if applicable))

Name (Print/Type)	David E. Wigley, Ph.D.	Registration No. (Attorney/Agent)	52,362	Telephone	404-879-2435
Signature		Date	October 26, 2004		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Bernd Fischer et al.

Serial No.: 10/031,217

Filed: April 18, 2002

For: **METHOD FOR PRODUCING FLAT
ARTICLES FROM RENEWABLE
RAW MATERIALS**

Examiner: Sellers, Robert E.

Art Unit: 1712

Docket No.: D078 1160.1

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

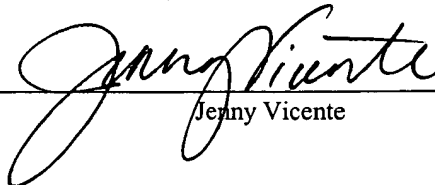
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Allowance and Fee(s) Due dated August 31, 2004, Applicants provide the following comments on the Examiner's statement of reasons for allowance.

In the Examiner's statement of reasons for allowance, the PTO stated that *Kastl et al.* (U.S. Patent No. 6,150,436) does not recite the newly inserted limitation of claimed step (4) of curing by subjecting the unsaturated double bonds to radical hydrogen abstraction, by radical polymerization, or a combination thereof, in the presence of a radical-forming initiator. The PTO

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Jenny Vicente

further stated that although *Höver et al.* (U.S. Patent No. 5,179,149) teaches pre-crosslinking a fatty acid oil followed by curing with a peroxide, the pre-crosslinking is a different mechanism from the newly claimed step (2) of pre-crosslinking by completely reacting the epoxy groups with a crosslinking agent.

The PTO has also stated in the Examiner's statement of reasons for allowance (paragraph 4) that the claimed combination of pre-crosslinking involving a reaction between epoxy groups of the epoxidized carboxylic acid ester and a crosslinking agent, and curing of the unsaturated double bonds in the presence of a radical-forming initiator is not recited, and there is no motivation to pre-crosslink employing one mechanism and curing with a different mechanism.

In addition, Applicants are also unaware of any reference or references that teach or suggest a method for producing a flat article comprising a material that contains polyreaction products, comprising the following steps:

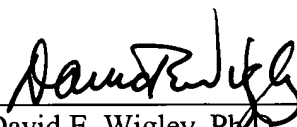
- (1) Compounding of an epoxidation product of at least one carboxylic acid ester using at least one crosslinking agent,
- (2) Pre-crosslinking of the mixture obtained in step (1) to form a moldable material by completely reacting the epoxy groups of the epoxidation product with the crosslinking agent(s),
- (3) Molding of the moldable material obtained in step (2) in the shape of a flat article, and
- (4) Curing of the molded material by crosslinking the remaining unsaturated double bonds by radical hydrogen abstraction, by radical polymerization, or a combination thereof, in the

presence of a radical-forming initiator, to produce the flat article, wherein the pre-crosslinking reaction in step (2) is separate from the curing reaction in step (4).

Applicants thank Examiner Sellers for suggesting the amendments to Claim 1 entered by Examiner's amendment.

Respectfully submitted,

26 October 2004



David E. Wigley, Ph.D.
Registration No. 52,362

WOMBLE CARLYLE SANDRIDGE & RICE, PLLC
P. O. Box 7037
Atlanta, Georgia 30357-0037
(404) 879-2435 (Telephone)
(404) 879-2935 (Facsimile)